
Tempe City Council
September 20, 2007

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street
7:30 p.m.

1. INVOCATION - Councilmember Arredondo
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Carter
 - A. Approval of Council Meeting Minutes
 1. Council's Executive Session – September 6, 2007
 2. Council's Issue Review Session – September 6, 2007 [20070920clrkck02.pdf](#)
 3. Council's Formal Meeting – September 6, 2007 [20070920clrkck01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 4. Board of Adjustment – June 27, 2007 [20070920boa01.pdf](#)
 5. Community Special Events Task Force – September 5 & 11, 2007
[20070920setf01.pdf](#) [20070920setf02.pdf](#)
 6. Enhanced Services Commission – August 8, 2007 [20070920esc01.pdf](#)
 7. Hearing Officer – August 21, 2007 [20070920ho01.pdf](#)
 8. Human Relations Commission – August 14, 2007 [20070920hrc01.pdf](#)
 9. Tardeada Advisory Board – August 13, 2007 [20070920tab01.pdf](#)
 10. Tempe Fire Public Safety Personnel Retirement Board – August 2, 2007
 11. Tempe Police Public Safety Personnel Retirement Board – August 2, 2007
4. REPORTS AND ANNOUNCEMENTS
 - A. Mayor's Announcements
 - Fire Department Accreditation Award
 - B. Manager's Announcements
5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may

remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

12. Request approval of City Special Event Sponsorship for the Tempe High School Centennial Reunion event scheduled for Friday, October 19, 2007, at Tempe Beach Park.

COMMENTS: A maximum allocation of \$25,000 to be used towards in-kind sponsorship for the event.

DOCUMENT NAME: [20070920prtd01.pdf](#) PARKS ADM (0706-01)

13. Request approval of a .25 FTE Administrative Assistant II for the Parks and Recreation Department.

DOCUMENT NAME: [20070920prtd02.pdf](#) PARKS ADM (0706-01)

14. Request approval for the Mayor to execute a 5-year agreement between AGL Networks, LLC, and the City of Tempe for the placement and use of facilities in the right-of-way and public places for a Metropolitan Optical Network.

COMMENTS: Current annual fee revenue of \$286,853.60.

DOCUMENT NAME: [20070920ITDH1.pdf](#) AGL NETWORKS (C2007-163)

15. Request approval of Civic Ventures Experience Corps/AmeriCorps federal grant to provide early literacy skills assistance to elementary school students.

COMMENTS: Grant in the amount of \$47,752.

DOCUMENT NAME: [20070920csjt01.pdf](#) COMMUNITY SERVICE ADM (0701-01)

16. This is a request for a Condominium Plat for 675 SOUTH (P CAN LOFTS) at 675 South Roosevelt Street.

COMMENTS: (PL060525) (Joseph Lloyd, managing member / Oleander Lofts L.L.C. Barry Goldstein, A.I.A. / V.V.G. Associates, L.L.C., applicant) for a Condominium Plat, located at 675 South Roosevelt Street, in the R-4 P.A.D District , including the

following:

SBD07032 – Condominium Plat to create twelve residential dwelling units on one lot of 0.49 gross/net acres.

DOCUMENT NAME: [20070920kko01.pdf](#) **PLANNED DEVELOPMENT (0406)**

17. This is a request for an Amended Subdivision Plat for PIER 202 – AMENDED at 1200 East Rio Salado Parkway.

COMMENTS: (PL060548) (Brad Gorman, Pier at Town Lake LLC, property owner/applicant) for the future development of nine (9) new buildings for commercial and residential on +/-27.4 acres, located at 1200 East Rio Salado Parkway, in the MU-4, Mixed-Use High Density District, including the following:

SBD07037 – Amended Subdivision Plat consisting of nine (9) lots and three (3) tracts
DOCUMENT NAME: [20070920dsrl01.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *18. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Mill Avenue Tacos, LLC, dba Chronic Tacos, 15 E. 6th Street.

COMMENTS: Scott Price, Agent

DOCUMENT NAME: [20070920LIQ1.pdf](#) **LIQ LIC (0210-02)**

- *19. This is a public hearing to recommend the approval of an off-track wagering license for TP Racing L.L.L.P., dba Turf Paradise, 1501 W. Bell Road, Phoenix, to operate at Hail Mary's, 1402 S. Priest Drive.

COMMENTS: Eugene Joyce, Agent

DOCUMENT NAME: [20070920STAX1.pdf](#) **LIC (0210-02)**

B. Award of Bids/Contracts

20. Request approval of a professional services contract addendum with CMX, LLC, for construction management services for Well No.15 equipping.

COMMENTS: Professional services contract addendum with CMX, LLC, for an amount not to exceed \$23,340, subject to the execution of the final written addendum.

DOCUMENT NAME: [20070920PWCH04.pdf](#) **WELLS – CONSTRUCTION / MAINTENANCE (0811-01) PROJECT NO. 3200012**

21. Request approval of a professional services contract with Archaeological Consulting Services, Ltd., for the City Hall Parking Garage Project.

COMMENTS: Request approval of a professional services contract in an amount not to exceed \$94,889 with Archaeological Consulting Services, Ltd., subject to

execution of the final written contract.

DOCUMENT NAME: [20070920PWCH06.pdf](#) **PARKING (0503-19), PROJECT NO. 6702971**

22. Request approval of a professional design services contract with Stanley Consultants for the Baseline Road Bridge at the Western Canal and Baseline Road/Kyrene Road Intersection Improvements.

COMMENTS: Professional design services contract in an amount not to exceed \$275,800 with Stanley Consultants, conditioned upon execution of the final written documents.

DOCUMENT NAME: [20070920PWCH07.pdf](#) **BRIDGES (08-01) PROJECT NO. 5402991**

23. Request to award a one-year contract with two (2), one-year renewal options to Robertson Industries, Inc., for rubberized playground surfacing.

COMMENTS: (IFB #08-013) Total cost for this contract shall not exceed \$100,000 during the initial contract period.

DOCUMENT NAME: [20070920fslq03.pdf](#) **PURCHASES (1004-01)**

24. Request to award a one-year, limited source contract to Childress Consulting to conduct a follow-up study of the initial assessment and subsequent action plan of the Development Services Department.

COMMENTS: (Limited Source #08-075) Total cost for this contract shall not exceed \$60,000 during the contract period.

DOCUMENT NAME: [20070920fslq04.pdf](#) **PURCHASES (1004-01)**

25. Request approval of a construction job order with 3D/ International, Inc., and approval of a construction change order contingency for the Duplicating/Mail Room renovation of Building "A" at Hardy Yard.

COMMENTS: Job order in the amount of \$273,662 with 3D/ International, Inc., subject to execution of the final written contract, and a construction change order contingency of \$30,000.

DOCUMENT NAME: [20070920PWMV05.pdf](#) **HARDY YARD (1001-18) PROJECT NO. 6702972**

26. Request approval of a construction job order with Sun Eagle Corporation and approval of a construction change order contingency for the Data Center Uninterrupted Power Supply Addition.

COMMENTS: Job order in the amount of \$65,573.26 with Sun Eagle Corporation, subject to execution of the final written contract, and a construction change order contingency of \$10,000.

DOCUMENT NAME: [20070920PWMV08.pdf](#) COMPUTER DEPT ADM (1003-01) PROJECT NO. 6702931

27. Request approval to increase the construction change order contingency for the Curry Road Water Main Upgrades from Scottsdale Road to Stadem Drive.

COMMENTS: Increase the construction change order contingency by \$185,000.

DOCUMENT NAME: [20070920PWMV03.pdf](#) WATERMAIN UPGRADES (0810-04) PROJECT NO. 3200031

28. Request approval of a one-year contract renewal with Bingham Equipment for the purchase of skid steer loaders.

COMMENTS: (T06-060-01) Total amount not to exceed \$69,000.

DOCUMENT NAME: [20070920fsta01.pdf](#) PURCHASES (1004-01)

29. Request approval of one-year contract renewals with Essence Catering; Arizona Taste Catering; Heidi's Events and Catering; and RK Group West for the purchase of catering services.

COMMENTS: (T07-021-01 to T07-021-04) Total amount not to exceed \$75,000.

DOCUMENT NAME: [20070920fslg02.pdf](#) PURCHASES (1004-01)

30. Request approval of a 90-day contract renewal with Urban Forest Tree Care, Inc., for tree trimming services in alleys and rights-of-way.

COMMENTS: (T05-048-01) Total amount not to exceed \$50,000.

DOCUMENT NAME: [20070920fslg05.pdf](#) PURCHASES (1004-01)

31. Request approval to increase the annual software maintenance agreement with Oracle Corporation for the City's PeopleSoft Financial, Human Resources, and eApplications systems.

COMMENTS: (Agreement T08-040-01) Increase in the amount of \$49,176.

DOCUMENT NAME: [20070920fsts06.pdf](#) PURCHASES (1004-01)

- C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *32. This is the **introduction and first public hearing** repealing Chapter 17 of the Tempe City Code, relating to Massage Establishments and amending Chapter 16A, relating to License and Business Regulations by adding new Article VIII entitled Massage Establishments. **The second public hearing is set for October 4, 2007.**

DOCUMENT NAME: [20070920cacc01.pdf](#) TCC CH 17 - MASSAGE

THERAPISTS & ESTABLISHMENTS (0503-17) ORDINANCE NO. 2007.59

- *33. This is the **introduction and first public hearing** for a Code Text Amendment for DOWNTOWN SIGNAGE. The **second public hearing is scheduled for October 4, 2007.**

COMMENTS: (PL070362) (City of Tempe, applicant) for changes in the Zoning and Development Code pertaining to sign regulations in the downtown and other sign modifications, including the following:

ZOA07002 – (Ordinance No. 2007.63) Code Text Amendment for the Zoning and Development Code Part 4, Chapter 9, Signs

DOCUMENT NAME: [20070920dsrl03.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-04)**

D. Ordinances and Items for Second Hearing/Final Adoption

- *34. This is the **second public hearing** for a General Plan Amendment and a Zoning Map Amendment for NORTHWEST FARM LTD PARTNERSHIP at 2727 East University Drive.

COMMENTS: (PL070276) (Lee Moser, property owner & applicant) for a change in the General Plan Projected Density Map and a Zoning Map Amendment for the Montecito mobile home community consisting of +/-21.65 acres, located at 2727 East University Drive in the RMH, Mobile Home Residence District. The request includes the following:

GEP07003 – (Resolution No. 2007.68) General Plan Projected Density Map Amendment from Medium Density (up to 15 du/ac) to Medium-High Density (up to 25 du/ac).

ZON07007 – (Ordinance No. 2007.58) Zoning Map Amendment from RMH, Mobile Home Residence District to R-4, Multi-Family Residential General District.

DOCUMENT NAME: [20070920dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *35. This is the **second public hearing** for an ordinance abandoning a sewer line easement located within the Arizona State University Research Park in the vicinity of 8620 South River Parkway.

DOCUMENT NAME: [20070920PWCH01.pdf](#) **ABANDONMENT (0901)**
ORDINANCE NO. 2007.64

- *36. This is the **second public hearing** for an ordinance abandoning a portion of a water line easement on the Acura of Tempe site at 7800 South Autoplex Loop.

DOCUMENT NAME: [20070920PWCH02.pdf](#) **ABANDONMENT (0901)**
ORDINANCE NO. 2007.65

E. Resolutions

37. Request approval of a resolution to accept grant funding from the Governor's Office of Highway Safety for collision investigation and reconstruction, training, and materials/supplies.

COMMENTS: Grant award totals \$11,315.

DOCUMENT NAME: [20070920pdstj01.pdf](#) POLICE DEPARTMENT
ADMINISTRATION (0606-02) RESOLUTION NO. 2007.81

38. Request approval of a resolution of intention and approval of a Development and Waiver Agreement for the formation of the Pier at Town Lake Improvement District No. 180, City of Tempe Project No. 5103011.

DOCUMENT NAME: [20070920PWCH09.pdf](#) IMPROVEMENT
(ASSESSMENT) DISTRICTS (0805-80) PROJECT NO. 5103011 RESOLUTION NO.
2007.78

39. Request approval of a resolution ordering work for the Pier at Town Lake Improvement District No. 180, City of Tempe Project No. 5103011.

DOCUMENT NAME: [20070920PWCH10.pdf](#) IMPROVEMENT
(ASSESSMENT) DISTRICTS (0805-80) PROJECT NO. 5103011 RESOLUTION NO.
2007.79

6. **PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed. Comments are aired live and replayed on Tempe Channel 11.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

SCHEDULED PUBLIC APPEARANCE

- *Kathryn Milun and Kirby Spittler, Tempe, re: Clean/Green/Solar Energy System for Tempe*

7. **CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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